

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 1142 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH and
MR.JUSTICE A.K.TRIVEDI

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
 2. To be referred to the Reporter or not?
 3. Whether Their Lordships wish to see the fair copy of the judgement?
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge?

BIPINBHAI VHHAGANBHAI VAGHELA

Versus

STATE OF GUJARAT

Appearance:

MR AV PRAJAPATI for Petitioner
MR KT DAVE, APP for Respondent No. 1
MR JS PARMAR for Respondent No. 3, 4, 5

CORAM : MR.JUSTICE M.S.PARIKH and
MR.JUSTICE A.K.TRIVEDI

Date of decision: 21/01/99

ORAL JUDGEMENT

Rule. Service of rule waived by Mr. K.T. Dave,
Ld. A.P.P. for the respondent no. 1 and Mr. J.S. Parmar,
Ld. Advocate for respondents nos. 3 to 5.

2. Mr. A.V. Prajapati, learned advocate for the petitioner submits that Bai Nirmalaben, wife of Bipinchandra Chhaganlal Vaghela has been brought and she is present before this Court. She expresses before this Court that she would like to join and go with the petitioner, her husband. The petitioner is present before the Court and he expresses that he would take his wife with him. Mr. Prajapati has also submitted before us that since Nirmala, wife of the petitioner wants to join the petitioner and go with him, he does not press for this petition. Respondent no. 3 is also present before this Court and Mr. J.S. Parmar, Ld. Advocate appears for respondents nos. 3 to 5. They do not have any objection for Nirmala joining the petitioner. Mr. K.T. Dave, ld. A.P.P. has nothing more to say in this matter.

In the above view of the matter, the custody of Nirmalaben having already been in the company of petitioner as aforesaid, this petition will stand disposed of as not surviving. Rule is accordingly discharged.

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PVR